

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - May 14, 1969

Appeal No. 10026     Oliver T. Carr, Jr., George H. Beuchert,  
                         A. James Clark, Trustees, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Arthur B. Hatton dissenting in part, the following Order of the Board was entered at the meeting on May 20, 1969.

EFFECTIVE DATE OF ORDER - Oct. 14, 1969

ORDERED:

That the appeal for permission to erect office building with roof structures in accordance with provisions of Section 3308 and variance to permit toilet facilities to be used by personnel operating mechanical equipment at 2025 M Street, NW., Lots 828,834,42 parts of lot 46 and 48, and alley closed, Square 99, be granted.

FINDINGS OF FACT:

1. The subject property is located in a C-3-B District.
  2. It is proposed to erect an eight (8) story office building (including shops and parking) with roof structures to house mechanical equipment, elevator machinery and electrical transformers.
  3. Appellant amends this appeal and requests guidelines with regard to the limitations on the floor area ratio of roof structures.
  4. The total area of appellant's lots is 27,479 square feet and the area of the proposed building is 178,613 square feet with a floor area ratio of 6.5
  5. The total area of the proposed roof structure including an electric transformer room of 1,260 square feet will be 7,962 square feet with a floor area ratio of .28.
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6. The material and color of the street facade of the building will be bronze-colored aluminum with bronze tinted glass.

7. The material and color of the roof structure will be bronze-colored aluminum and bronze-colored expanded metal mesh.

8. This appeal was filed and heard under plans by Weihe, Black, Kerr and Jeffries, architects, drawings numbered A-4, A-7, A-9, A-10, A-11 and A-12, approved as noted by Mr. Arthur P. Davis, architect-member of the Board, on May 16, 1969.

9. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

The Board is of the opinion that the granting of this appeal is in harmony with the intent and purposes of the Zoning Regulations and will not adversely affect the use of nearby and adjoining property.

The Board concludes that the roof structures will harmonize with the street frontage of the building in architectural character, material and color and is in harmony with the purpose and intent of the Zoning Regulations.

The following Administrative Ruling is rendered with regard to limitations on the floor area ratio of roof structures:

I. Whether or not an applicant is required to seek Board approval for an increase in the allowable F.A.R. of a roof structure when such increase is .12 or less?

II. Whether or not an applicant is required to seek a special exception for an increase of the allowable F.A.R. of a roof structure when such increase is in excess of .12 but not more than .37?

OPINION Cont'd:

III. Whether or not an applicant is required to seek a variance for an increase in the allowable F.A.R. of a roof structure when such increase is in excess of .37?

IV. Whether or not the Gross Floor Area is increased by the area of intermediate floors constructed within the enclosed roof structure?

V. Whether or not a toilet facility is permitted in a roof structure when such facility is provided for personnel operating the permitted mechanical equipment?

Pertinent Sections:

Definition of Gross Floor Area; definition of Floor Area Ratio; Sections 3308; 3308.13; 3308.21; and 3308.22.

The Board is of the opinion that the following interpretations are applicable to the designated sections of the Zoning Regulations.

I. The floor structure of a building may increase the allowable F.A.R. of the building by .12 as a matter of right.

II. An increase in Floor Area Ratio from .12 but not exceeding .37 shall be treated as a special exception to the Zoning Regulations upon the submission of written evidence to the Board which satisfies the conditions contained in Section 3308.21; to wit:

"Where impracticable because of operating difficulties, size of building lot or other conditions relating to the building or surrounding area which would tend to make full compliance unduly restrictive, prohibitively costly or unreasonable, the Board is empowered to increase the size of roof structures, to vary the location of any or all of such structures and to vary the

OPINION Cont'd:

(Administrative Ruling)

material of enclosing construction used, provided the intent and purpose of this section is not materially impaired thereby and the light and air of adjacent buildings is not affected adversely. The Board may also permit excess floor area created by curtain walls to be used for incidental storage and for toilets accessory to roof swimming pools (63-3)."

III. Applicants for an increase in Floor Area Ratio to accommodate a roof structure in excess of .37 must request a variance as provided for in Section 8207.11 and prove a hardship under the provisions thereof.

IV. The aggregate square footage of all levels of floors contained within a roof structure measuring 6.5 feet or more in height shall increase the Gross Floor Area of the roof structure and shall be included in the total F.A.R. thereof.

V. Lockers and toilet facilities will constitute acceptable accessory uses to be permitted within a roof structure subject to Board approval.

VI. The foregoing interpretations shall not be construed so as to render an provision under Section 3308 of the Zoning Regulations in abeyance or inapplicable.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:



CHARLES E. MORGAN  
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.